

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEAN ISME,

Plaintiff,

v.

HOME DEPOT U.S.A., INC., and
ROSNY LEROY,

Defendants/
Third Party Plaintiffs,

v.

ANNETT HOLDINGS, INC., d/b/a TMC
TRANSPORTATION, and HUDSON
INSURANCE COMPANY,

Third Party Defendants.

No. 1:18-cv-12537-MLW

REPORT AND RECOMMENDATION ON PLAINTIFF'S MOTION TO REMAND

CABELL, U.S.M.J.

Jean Isme, a Massachusetts resident, brought a state court action for negligence against Home Depot U.S.A., Inc. (Home Depot), a Georgia corporation, after sustaining an injury at one of its facilities. (D. 5). Home Depot subsequently filed a third-party complaint against Isme's employer, Annett Holdings, Inc. d/b/a TMC Transportation (TMC), an Iowa corporation, and TMC timely removed the case to federal court; federal court jurisdiction was predicted on diversity and amount in controversy under 28 U.S.C. § 1332.

(D. 1). As there is no objection to the Recommendation and it is, in any event, meritorious it is hereby ADOPTED. Therefore, Plaintiff's motion to remand is hereby ALLOWED and the case shall be remanded. WOL DJ 12/27/19